

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97358

Kazuyuki KIRIYAMA, et al.

Appln. No.: 10/594,451

Group Art Unit: 1797

Confirmation No.: 9230

Examiner: Brian A MCCAIG

Filed: January 9, 2007

For: CATALYST FOR HYDROTREATING HYDROCARBON OIL, PROCESS FOR  
PRODUCING THE SAME, AND METHOD FOR HYDROTREATING  
HYDROCARBON OIL

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

Applicants enclose herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (Supplementary European Search Report for EP 05721249.0 and PCT/JP2005005099 dated May 11, 2009) indicating the degree of relevance found by the foreign patent office.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants submit an English language abstract for Japanese Patent Application Publication No. 2005-262063 A.

Additionally, Applicants note that Japanese Patent Application Publication No. 2000-135438 and International Patent Application No. WO 03/006156 A were previously submitted as part of an Information Disclosure Statement filed on September 26, 2006, and International Patent Application No. WO 03/000410 A was listed on the form PTO-892 attached to the Non-Final Office Action dated January 9, 2009. Since these documents are already of record, they are not listed on the attached Form PTO/SB/08.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
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WASHINGTON DC SUGHRUE 765550

**65565**

CUSTOMER NUMBER

Date: June 8, 2009

/Brett S. Sylvester/  
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Registration No. 32,765

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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STATEMENT UNDER 37 C.F.R. § 1.704(d)

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The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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